

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58224 of 2025

Arising Out of PS. Case No.-41 Year-2022 Thana- PUSA District- Samastipur

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Mala Kumari D/o- Birju Mahto Village-Mahmada, P.S- Pusa, Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
420, 467, 468, 471, 120-B of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner have been falsely implicated in this case by the
informant. It is next submitted that Jagannath Mahto and
Baijanath Mahto were own brothers, it is submitted that
informant is wife of Baijanath Mahto but then she claims herself
to be wife of Jagganath Mahto. It is submitted that there are
documents on record to show that while availing Indira Awas
the informant in the application had recorded the name of her
husband as Late Jagganath Mahto. It is further submitted that



the informant in T.R. No. 2502 of 2019 pending in the Court of learned Civil Judge, Junior Division, First Class, Samastipur had filed vakaltnama wherein she had recorded name of her husband as Baijnath Mahto. It is thus submitted that informant is wife of Baijnath Mahto but is claiming herself to be wife of Jagganath Mahto who has died.

4. Learned A.P.P. opposes the anticipatory bail application and submits that petitioner has antecedent of three cases and allegations are serious. It is also submitted in the event if during the course of investigation it transpires that a false has been instituted in that event police will submit final form but it is found that husband of the informant is still alive and a forged death certificate was prepared by the father of the petitioner in that event chargesheet would be submitted. It is also submitted that petitioner has antecedent of three cases and in the event if the benefit of anticipatory bail is granted she may abscond on which the learned counsel for the petitioner submits that all the three cases have been instituted by the side of the informant. It is further submitted that the petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

5. Considering the submissions made by the learned



counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Samastipur in connection with Pusa P. S. Case No. 41 of 2022, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that if the investigating officer of the case files an application before the Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that even the learned Trial Court shall be at liberty to cancel the bail bond of the petitioner.

7. It is further made clear that if chargesheet is submitted connecting the petitioner with the offence, finding the husband of the informant alive in that event, the present anticipatory bail order will loose its effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Siddharth Soni/-

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